

**REMARKS**

**I. Status of the claims:**

Reconsideration and allowance of the claims pending in the application are requested.

Claims 1-19 and 52-71 are pending in the application. Claims 52-55 have been withdrawn from consideration based on the Restriction Requirement set by the Examiner.

Claims 1-19 and 56-71 have been finally rejected under 35 U.S.C. § 102(b) as anticipated by Phillipsson (USPAP 2001/0007815), of record. Claims 9-15 and 20-51 have been cancelled with out prejudice for subsequent prosecution, if deemed appropriate.

Claims 1, 56, 61, 62, 67 and 68 have been amended to further define the claimed subject matter with respect to the cited art.

Claims 72-75 have been added for further projection of the claimed subject matter.

**II. Response to Rejection under 35 U.S.C. § 102(b)**

Phillipsson fails to disclose the subject matter of claims 1-19 and 52-71, as follows:

**I. Claim 1:**

b) detecting the RF-ID interrogation signal by a second terminal when within the range of the RF-ID interrogation signal;

The Examiner contends Paragraph 0020 of Phillipsson discloses claimed feature b).

Applicants disagree. Paragraph 0020 discloses the second or pay terminal generates a respond signal to the interrogation signal. In contrast, claim 1, as now amended, describes the second terminal generating a respond signal to the interrogation signal and a notification of the interrogation signal, as described in Applicants' specification at page 37, line 19 continuing to

page 38, line 12. Phillipsson fails to disclose or suggest generating a respond signal and a notification of the interrogation signal for processing within the second terminal.

c) in response to detecting the presence of the interrogation signal providing the notification to activate notifying a processor in the second terminal of the presence of the RF-ID interrogation signal, the processor using the notification for setting a short-range communication module in the second terminal into a predefined operation mode for being capable of detecting paging signals directed to the second terminal;

The Examiner contends Paragraph 0022 of Phillipsson discloses the claimed feature c). Applicants disagree. Paragraph 0022 discloses a passive transponder receiving and processing the interrogation signal to generate a respond signal. In contrast, claim 1, as now amended, describes a notification generated in the second terminal for activating or alerting a processor in the second terminal to set a short-range communication module in a pre-defined operation mode, i.e. enter a paging mode or a non-connectable mode, as described in applicants' specification at page 38, lines 2-7. Phillipsson fails to disclose the second terminal processing a notification generated in the second terminal to activate a processor to set a predefined mode of operation for a short-range communication module. Phillipsson only processes the interrogation signal to generate a respond signal.

d) responding to the RF-ID interrogation signal by transmitting a RF-ID response signal to the first terminal including identification information relating to the short-range communication module of the second terminal;

The Examiner contends Paragraphs 0020 and 0022 disclose the claimed feature. Paragraphs 0020 and 0022 describe the transponder contained in the first terminal providing the

second terminal an identification number. Paragraph 0023 discloses the second terminal establishes a short-range connection with the first terminal in response to the identification number. In contrast, applicants at page 16, lines 8 -23 disclose the second terminal sends the first terminal identification information relating to the short-range communication module of the second terminal. Phillipsson fails to disclose the second terminal sending the first terminal identification information relating to a short-range communication module of the second terminal.

e) processing the received RF-ID response signal by the first terminal to activate a short-range communication module in the first terminal to initiate a shortened session setup by transmitting a short-range paging signal directed to the second terminal based on information of the received RF-ID response signal to establish a short-range connection with the second terminal; and

The Examiner contends Paragraph 0025 discloses the claimed feature. Paragraph 0025 discloses a second terminal in response to the identification number for the first terminal establishes a connection with the first terminal via a short-range radio link. In contrast, applicants at page 15, lines 15-23 disclose the first terminal responds to a paging message from the second terminal and forms a short-range synchronous connection link with the second terminal in a shortened session setup. Phillipsson fails to disclose the first terminal forming a short-range connection with the second terminal in a shortened session setup.

f) detecting the paging signal by the short-range communication module in the second terminal for immediate establishment of a short-range connection between the first and second terminals.

The Examiner contends Paragraph 0025 discloses the claimed feature. Paragraph 0025 discloses the first terminal sends the second terminal an identification number used by the second terminal in setting up a short-range connection. In contrast, applicants disclose at page

16, lines 8-16, the second terminal sends the first terminal a paging signal (not an identification number) and detects a response for establishing connection between the first and the second terminal. Phillipsson fails to disclose a second terminal detecting a response signal from a first terminal to immediately establish a connection between the first and second terminals.

Summarizing, Phillipson only discloses a pay terminal transmitting an identification number in response to a interrogation signal from a sale terminal and establishing a short-range connection between the pay and sale terminal based on the identification number.

In contrast, Applicants disclose:

(i) providing a notification to a processor in a second or pay terminal of the presence of an RF-ID interrogation signal from the first sale terminal; the processor using the notification for setting a short-range communication module in a second terminal into a predefined operation mode;

(ii) a second or pay terminal transmitting to the first terminal information relating to a short-range connection and identification of the second terminal;

(iii) the first terminal establishing a shortened session set-up with the second terminal based on information received from the second or pay terminal, and

(iv) immediate establishment of a short-range connection between the first or sale and the second or pay terminals based on the information provided by the second or pay terminal in response to an interrogation signal by the first or sale terminal.

Applicants submit there is no support in Phillipsson for the rejection of independent claim 1 under 35 U.S.C. § 102(b) based on the absence of disclosure in Phillipsson related to the above-identified features (i) – (iv)

2. Claim 2:

The Examiner contends that Paragraph 0025 in Phillipsson discloses a RF-ID tag reader and the second or pay terminal. Applicants disagree. Figure 2 of Phillipsson does not disclose a RF-ID tag reader. Paragraph 0019 of Phillipsson further describes a pay terminal comprising a passive radio frequency ID transponder for communication with a point of sale terminal via a short-range radio link when in the presence of the pay terminal. Figure 2 of Phillipsson describes a RF-ID tag not a RF-ID tag reader which in addition to receiving interrogation signals has a tag also includes transmitting one or more transmitting signals or interrogation signals as described in Applicants' specification page 22, lines 3-23.

Phillipsson fails to disclose or suggest a RF-ID tag reader in the pay terminal or a second terminal 10 as shown in Figure 2.

3. Claim 3:

The Examiner contends Phillipsson at Paragraph 0028 discloses switching the RF-ID tag reader and the second or pay terminal to operate in a show communication mode and simulate a RD-ID tag device. Paragraph 0028 discloses passive radio frequency transponders. Recited paragraph does not disclose a tag reader having tag functionality and the tag reader functionality is switched into while the tag reader functionality is out of operation is described in Applicants' specification at page 26, lines 5-15. Applicant can find no disclosure in Paragraph 0028 relating to a pay terminal including a tag reader with tag functionality.

4. Claim 4

The Examiner contends that Paragraph 0022 in Phillipsson discloses the subject matter of claim 4 where the sale terminal the pay terminal have RF-ID tag reader operating in an active

mode. Paragraph 0022 discloses a RF-ID tag functionality of the pay terminal shown in Figure 2. There is no disclosure in Paragraph 0022 or Figure 2 describing the pay terminal generating an interrogation signal. Paragraph 0022 does not describe a tag reader. Likewise, a tag reader is not disclosed in the sale terminal of Phillipsson. Figure 4 discloses the sale terminal as a RD-ID tag reader but cannot operate in an active mode with the pay terminal which does not include a tag reader function. Phillipsson fails to disclose the subject matter of claim 4.

5. Claim 5

The Examiner contends at Paragraph 0028 that Paragraph 0028 in Phillipsson discloses a tag reader of the second or pay terminal operating in a powered-down and passive mode. The second or pay terminal does not include an RF-ID tag reader for the reasons discussed into consideration of claim 2.

The Examiner contends that Paragraph 0016 in Phillipsson discloses the subject matter of claim 8. Paragraph 0016 discloses a Bluetooth link is established between a first or pay terminal and a second or sale terminal. Applicants can find no disclosure in Paragraph 0016, nor has the Examiner identified any text in Paragraph 0016, wherein, the second terminal informs the Bluetooth module to enter into a page scan mode to provide a shortened device discovery and session setup with a first terminal. Phillipsson fails to disclose the subject matter of claim 8.

6. Claim 16:

The Examiner contends Paragraph 0027 in Phillipsson discloses the claimed feature. Paragraph 0027 discloses the first terminal may be a mobile communication device, whereas, the second terminal maybe another kind of stationary unit. In contrast, applicants disclose both the

first and second devices may be mobile devices as shown and described in Figure 9. Phillipsson fails to disclose the subject matter of claim 16.

7. Claim 17:

The Examiner contends Paragraph 0005 in Phillipsson discloses the claimed feature. Paragraph 0005 discloses establishing a short-range radio link between stationary unit and a mobile communication device for transactions in a wireless network. Applicant can find no disclosure in Paragraph 005, nor has the Examiner identified any text in Paragraph 0005, for determining the acceptability of a short-range connection, as described in the application at page 9, lines 3-7. Phillipsson fails to disclose the subject matter of claim 17.

8. Claim 18:

The Examiner contends Paragraph 0016 in Phillipsson discloses the claimed feature. Paragraph 0016 discloses the establishment of a first short-range radio link between a first or pay terminal and a second or sale terminal. Applicants can find no disclosure in Paragraph 0016 relating to entering into a page scanning mode, if a Bluetooth mode is acceptable, as described in the subject application at page 9, lines 5-8. Phillipsson fails to disclose the subject matter of claim 18.

9. Claim 19:

The Examiner contends Paragraph 0028 in Phillipsson discloses the claimed feature. Paragraph 0028 discloses passive transponders for incorporation into the first terminal. Applicants can find no disclosure in Paragraph 0028, nor has the Examiner identified any text in Paragraph 0028, relating to a first terminal entering into a non-connectable mode if a Bluetooth

mode is not acceptable, as described in the subject application at page 9, lines 4-5. Phillipsson fails to disclose the subject matter of claim 19.

10. Claims 56 and 68:

Phillipsson fails to disclose the subject matter of claims 56 and 68, as follows:

- b) responding to the RF-ID interrogation signal by transmitting a RF-ID response signal including identification information relating to a wireless short-range module of the terminal and providing the notification to a processor in the wireless communication terminal; and

The Examiner contends the claimed feature b) is disclosed in Phillipsson at Paragraph 0020 and the last three lines of Paragraph 0022. Claim 56 has been amended to disclose the terminal generates a response signal to the interrogation signal and a notification of the interrogation signal to a processor in the terminal. Phillipsson fails to disclose providing the Notification to a processor in the wireless communication terminal.

- c) in response to the notification signal, activating the processor to instruct instructing the a wireless short-range communication module in the wireless communication terminal to enter into a predefined shortened session set-up operation mode capable of for detecting paging signals.

The Examiner contends the claimed feature c) is disclosed in Paragraph 0022 of Phillipsson. Applicants disagree. Paragraph 002 2 discloses the pay terminal or second terminal transponder provides a response signal to the interrogation signal. Applicants can find no disclosure in Paragraph 0022 relating to the activated processor responding to a notification and

instructing a wireless communication module to enter into a shortened session for detecting paging signals.

11. Claim 62:

Phillipsson fails to disclose the subject matter of claim 62, as follows:

- c) a near field communication module configured to detect a RF-ID interrogation signal and send a response signal including identification information relating to the wireless short-range communicant module, in wireless near field communication, the module further configured to provide to the processor a notification of the presence of the RF-ID interrogation signal,

The Examiner contends Phillipsson at Paragraph 007 discloses the preceding claimed subject matter. Applicants disagree. Applicants have amended the claimed subject matter to describe the communication module providing a notification to the processor in addition to the response signal sent to the interrogation signal. Applicants can find no disclosure in Phillipsson of the second or pay terminal generating a notification of the presence of an interrogation signal in addition to generating a response signal to the interrogation signal.

- (i) wherein the processor is configured to instruct the wireless short range-communication module to enter into a predefined operation mode for being capable of detecting paging signals to establish a wireless short-range communication connection in response to receiving the notification from the near field communication module.

The Examiner contends Phillipsson at Paragraph 0022 discloses the preceding claimed feature. Applicants disagree. Paragraph 0022 discloses a passive transponder generating a response signal to an interrogation signal. There is no disclosure in Paragraph 0022 relating to the passive transponder being set into a predefined mode to detect paging signal. Phillipsson discloses the passive transponder provides a response signal including identification information which precedes the occurs before paging signals are received.

Summarizing, Phillipsson fails to disclose (i) generating a notification to activate a processor, and (ii) using the notification to set the processor into a predefined mode of operation to accept paging signals.

12. Claims 57 and 63:

Claims 57 and 63 depend from and further limit claims 56 and 62, respectively and are patentable over the cited art on the same basis as claims 56 and 62.

13. Claims 58 and 64:

The Examiner contends claims 58 and 64 are disclosed in Paragraph 0016 of Phillipsson.

Applicants disagree, as follows:

In Paragraph 0016, Phillipsson discloses a Bluetooth link with a range of about 10 meters is used for a first short-range radio link between a pay terminal and a sale terminal. Paragraph 0016 fails to disclose or suggest a response signal to an interrogation signal including a Bluetooth serial number and Bluetooth initial CLOCK OFF-SET information. The clock off set information serves as a basis for a shortened session set up between the sale and pay terminals for the reasons indicated in Applicants' specification at page 8, line 20 continuing to page 9, line 13. Phillipsson fails to disclose or suggest the subject matter of claims 58 and 64.

14. Claims 59, 65 and 69:

The Examiner contends Phillipsson at Paragraph 0016 discloses entering into a Bluetooth page scan mode after detecting the interrogation signal. Applicants disagree as follows:

Paragraph 0016 only discloses a Bluetooth link is established between the sale terminal and the pay terminal, after an inquiry signal; an inquiry response signal and a paging signal. Normally, the Bluetooth serial number and clock off-set value are provided in the inquiry response signal provided by the pay terminal. There is no disclosure in Paragraph 0016 of

skipping the inquiry stages and entering into a Bluetooth page scan mode immediately after detecting the interrogation signal due to the pay terminal previously providing a Bluetooth serial number and a clock off-set value, as described in applicants' specification at page 14, lines 9-15. Accordingly, Phillipsson fails to disclose the subject matter of claims 59, 65 and 69.

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15. Claims 60, 66 and 70:

The Examiner contends that Phillipsson discloses in Paragraph 0022 receiving a paging signal to activate the wireless short-range communication module. Applicants disagree, as follows:

Paragraph 0022 discloses a transponder in the pay terminal analyzes an interrogation signal and provides a response signal to the sale terminal including a unique identification number to initiate the process for establishing a Bluetooth connection between the pay and sale terminals. There is no disclosure in Paragraphs 0016 or 0029 describing the sale terminal sending a paging signal to activate a wireless short-range communication connection, after skipping the inquiry stages

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16. Claims 61, 67 and 71:

The Examiner contends that Phillipsson at Paragraph 0025 discloses initiating a shortened session set-up upon receiving a paging signal. Applicants disagree as follows:

Phillipsson at Paragraph 0025 discloses establishing a first short-range radio link between a sale terminal and pay terminal. Applicants cannot find nor has the Examiner identified any disclosure in 0025 where the first short-range radio link is established in a shortened session set-up upon receiving a paging signal after skipping an inquiry stage , as described in Applicants' specification at page 37, lines 4-21.

Summarizing, Phillipsson discloses a pay terminal as a tag device in communication with a sale terminal as a reader device after receiving an interrogation signal from the sale terminal via first short-range network. The pay terminal generates a respond signal to the interrogation signal. Interrogation signal includes a unique identification number of the particular pay terminal. The identification number is transmitted to the sale terminal through a short-range communication link which is used for transaction and data exchanges between the pay terminal and the sale terminal.

Applicants submit that Phillipsson does not support the rejection of claims 1-19 and 52-71 under 35 U.S.C. § 102(b) by the absence of (1) a first or sale terminal functioning as a reader device and including tag functionality; (2) a second or pay terminal functioning as a tag device but also able to function as a reader device; (3) the second or pay terminal transmitting to a first or sale terminal a Bluetooth identification number; clock off-set and other parameters; the first or sale terminal establishing a Bluetooth connection with the second or pay terminal bypassing the inquiry and inquiry response stages and (4)a shortened communications session starting from a paging stage for establishing a connection between the first and second terminals, and the first and second terminals, in one embodiment, being mobile devices. Withdrawal of the rejection of claims 1-19 and 56-71 and allowance thereof are requested.

#### Patentability Support for New Claims 72-75

New claims 72-74 depend from claim 1 and further describe a feature of determining whether a connection should be established or denied between the first or sale terminal and the second or pay terminal. Claim 75 describes claim 56 in further detail. Applicant can find no disclosure in Phillipsson relating to the claimed subject matter of Claims 72-75.

Entry of claims 72-75 and allowance are requested.

**Response to Examiner's Arguments Regarding the Amendment filed January 5, 2007:**

1. The Examiner argues that Phillipsson describes “generating a RF-ID” interrogation signal by first terminal equipped with a RF-ID reader device”. Applicant agrees that Phillipsson does describe a first terminal equipped with a RF-ID tag reader device. However, Phillipsson does not describe a RF-ID tag reader device with tag functionality, as described in Claim 2 and set forth in Applicants’ specification at page 22, lines 3-10. The tag functionality of the reader device enables the reader device to function as a tag or a reader, and such devices are not disclosed or suggested in Phillipsson.

2. The Examiner states there is nothing in the claims indicating a terminal must “wake up or alert the short-range communication module and enter into a suitable state for enhancing connection set-up;”. Applicants have amended claims 1, 56, 62 and 68 to recite that the second or pay module provides a notification that activates a processor to instruct a short-range communication module to enter into a suitable mode for connection establishment attempts, as described in the text supporting the disclosure of Figure 9A, Applicants can find no disclosure in Phillipsson where the sale or the pay terminal determine whether or not to establish a mode of operation for listening to connection attempts.

3. The Examiner argues that the last three lines of Paragraph 0022 in Phillipsson discloses “responding to the RF-ID interrogation signal by transmitting a RF-ID respond signal to the terminal (sale terminal) including identification information (unique identification number) relating to the short-range communication of the second terminal”. Applicant agrees that the second or pay terminal does transmit a response signal to the interrogation signal of the first or

sale terminal. However, the second or pay terminal does not include clock off-set and other optional parameters along with the identification number of second terminal to initiate shortened communication session, as described in Applicant's specification at page 14, lines 14-15

The Examiner argues that "a shortened session" is obvious since the Phillipsson connection is made only to make a payment." The shortened session is not obvious from Paragraph 0025 due to the connection between the first and second terminals performing each step in forming a Bluetooth connection and not skipping connection steps due to the presence of clock off-set value.

4. The Examiner argues that the last four lines of 0025 state that the "point of sale terminal finally establishes a connection with the pay terminal via a first short-range radio link", and a shortened session set-up is obvious. The cited text does not disclose or suggest skipping of inquiry steps necessary to establish a shortened set-up time, as described by Applicant.

5. The Examiner argues Phillipsson in the last four lines of Paragraph 0025 discloses detecting paging signals for immediate establishment of a short-range connection. The Examiner ignores the skipped steps in the connection process to establish a shortened connection process.

Summarizing, Applicants in describing (1) a second or pay terminal generating a response signal including a Bluetooth identification number, clock off-set and optional parameters expedites the connection of a pay and terminal devices, and (2) the pay and sale terminals skip connection steps to establish a shortened session set-up.

**CONCLUSION**

Applicants have amended independent claims 1, 56, 62 and 68 and dependent claims 61 and 67 to further distinguish the claimed subject matter from the cited art; added dependent claims 72-74 to further limit claim 1 and independent claim 75 to further limit claim 56. Applicants' request entry of the amended and new claims; allowance of the claims and passage to issue of the application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4047US1. A DUPLICATE OF THIS SHEET IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4047US1. A DUPLICATE OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: April 2, 2007

By: /Joseph C. Redmond/

Joseph C. Redmond, Jr.

Registration No. 18,753

(202) 857-7887 Telephone  
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.  
3 World Financial Center  
New York, NY 10281-2101